

## ORDINANCE NO. NS-2165

AN ORDINANCE AMENDING THE BEND AREA GENERAL PLAN MAP BY EXPANDING THE URBAN GROWTH BOUNDARY TO INCLUDE APPROXIMATELY 26 ACRES OF LAND AND ADJACENT RIGHT OF WAY LOCATED WEST OF DESCHUTES MARKET ROAD, NORTH OF THE NORTH UNIT IRRIGATION CANAL.

### Findings:

- A. The US Forest Service initiated the application on March, 31 2011. Timely and sufficient notice pursuant to Section 4.1.515 of the Bend Development Code was provided.
- B. The City of Bend Hearings Officer held a public hearing on May, 5, 2011. On May 18, 2011, the Hearings Officer issued a recommendation that the City Council approve the UGB amendment.
- C. The Hearings Officer's recommendation found that the UGB amendment meets the criteria for approval for a General Plan amendment found in Bend Development Code section 4.6.300.
- D. The City Council held a public hearing to consider the Hearings Officer's findings and record, and found that the proposal is consistent with the criteria of approval.
- E. These general findings are further supported by specific findings of fact contained in the Hearings Officer's recommendation (Exhibit C of this ordinance) which are incorporated into these findings.

### BASED ON THESE FINDINGS, CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. The Bend Urban General Plan Map is amended to include the property shown in "Exhibit A" and described in "Exhibit B" in the Urban Growth Boundary.

Read for the first time the 1st day of June, 2011.

Read for the second time the 15th day of June, 2011.

YES: 7                      NO: 0                      ABSTAIN: 0

Authenticated by the Mayor the 15th day of June, 2011.

Approved as to form:



Legal Counsel



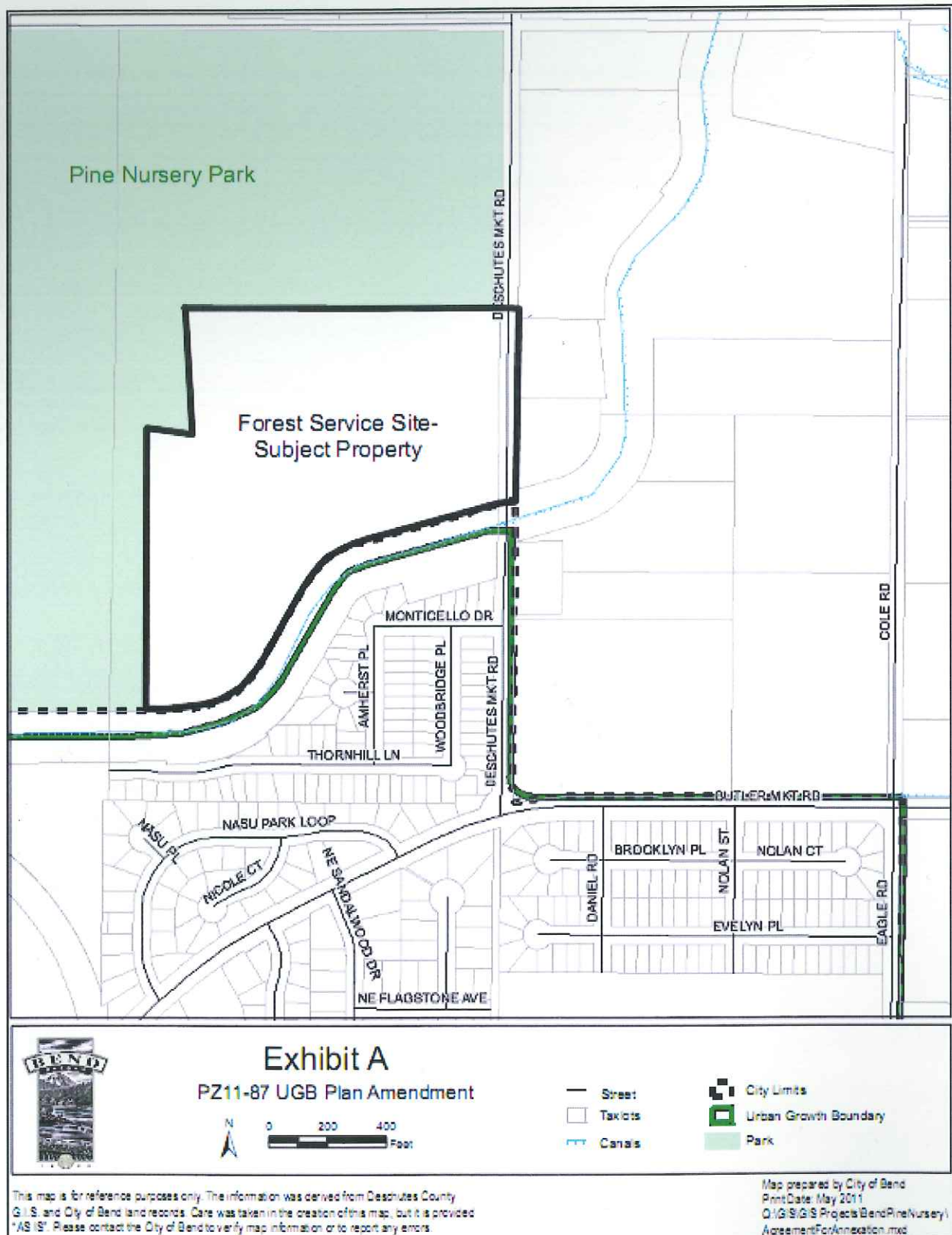
Jeff Eager, Mayor

ATTEST:



Patricia Stell

Patricia Stell, City of Bend Recorder





## Exhibit B

### Description of Subject Property

#### Parcel 1-Deschutes Market Road

A strip of land, 60.00 feet wide, in the west one-half of Section 23, Township 17 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, said strip being more particularly described as follows:

- That portion of Deschutes Market Road as shown in CS16641, Deschutes County Survey Records, lying between the northerly line of Butler Market Road and the easterly extension of the most northerly south line of Parcel 1 of Partition Plat No. 2007-74, recorded as Document No. 2007-61328, Deschutes County Official Records.

Contains 2.31 acres, more or less.

#### Parcel 2-U.S. Forest Service Property

A tract of land in the west one-half of the northwest one-quarter of Section 23, Township 17 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, said tract being more particularly described as follows:

Beginning at the intersection of the westerly line of Deschutes Market Road as shown in CS16641, Deschutes County Survey Records, with the most northerly south line of Parcel 1 of Partition Plat No. 2007-74, recorded as Document No. 2007-61328, Deschutes County Official Records; thence tracing the boundary of said Parcel 1 along the following courses: S.89°59'26"W., a distance of 1072.10 feet; thence S.03°32'10"E., a distance of 433.81 feet; thence N.81°03'45"W., a distance of 153.10 feet; thence S.00°13'18"E., a distance of 955.81 feet to the northerly right of way of the North Unit Main Canal; thence leaving the boundary of said Parcel 1 and tracing the northerly right of way of said North Unit Main Canal along the following courses: N.88°32'17"E., a distance of 70.98 feet; thence N.01°13'51"W., a distance of 5.00 feet; thence N.88°40'02"E., a distance of 80.21 feet to the point of curve left of a 297.00 foot radius curve; thence along the arc of said curve left through a central angle of 36°52'08", a distance of 135.93 feet (chord bears N.70°44'20"E., a distance of 162.91 feet); thence S.37°11'45"E., a distance of 5.00 feet to the point of curve left of a 302.00 foot radius nontangent curve; thence along the arc of said curve left through a central angle of 22°51'05", a distance of 120.45 feet (chord bears N.41°22'42"E., a distance of 119.65 feet); thence N.28°57'09"E., a distance of 337.60 feet to the point of curve right of a 271.00 foot radius curve; thence along the arc of said curve right through a central angle of 43°55'06", a distance of 207.73 feet (chord bears N.62°04'45"E., a distance of 202.88 feet); thence N.74°02'18"E., a distance of 496.04 feet to the westerly line of said Deschutes Market Road as shown in CS16641, Deschutes County Survey Records;

thence leaving said northerly right of way, N.00°13'54"E. along said westerly line, a distance of 857.83 feet to the Point of Beginning.

Contains 25.67 acres, more or less.

